GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department- Diversion of 2.992 ha (initially 3.0064 ha) of forest land for grant of quarry lease for road metal in Compt.No.313, Gulamaliabad South R.F., of Dhone Range, Kurnool Division & District in favour of M/s.Bargav Road Metal Unit, Banaganapalli, Mg partner Sri. Ch. Nagabhusana Reddy - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 80 **Dated: 27-07-2018**
Read the following:-

1. From PCCF & HoFF, A.P, Lr.Rc.No.52769/2009-F2, Dt.20-05-2010.
2. State Govt. Lr.No.4228/For.I (1)/2010, Dt.22-06-2010.
3. From GOI, Mo.EF, Bangalore, Lr.No.4-APB719/2010-BAN/9296, Dt:05-07-2011.
4. State Govt. Lr.No.4228/Section-II/2010, Dt.18-4-2018.
5. From GoI, MoEF& C.C, Lr.No. 4-APB719/2010-BAN/1046, Dt.07-07-2018

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 2.992 ha (initially 3.0064 ha) of forest land for grant of quarry lease for road metal in Compt.No.313, Gulamaliabad South R.F., of Dhone Range, Kurnool Division & District in favour of M/s.Bargav Road Metal Unit, Banaganapalli, Mg partner Sri. Ch. Nagabhusana Reddy and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section 2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in-principle (Stage-I) approval.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 5th read above, have accorded **(Stage-II)** approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 2.992 ha (initially 3.0064 ha) of forest land for grant of quarry lease for road metal in Compt.No.313, Gulamaliabad South R.F., of Dhone Range, Kurnool Division & District in favour of M/s.Bargav Road Metal Unit, Banaganapalli, Mg partner Sri. Ch. Nagabhusana Reddy, subject to certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 2.992 ha (initially 3.0064 ha) of forest land for grant of quarry lease for road metal in Compt.No.313, Gulamaliabad South R.F., of Dhone Range, Kurnool Division & District in favour of M/s.Bargav Road Metal Unit, Banaganapalli, Mg partner Sri. Ch. Nagabhusana Reddy, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged.

ii. The State Forest Department shall carryout Compensatory Afforestation and its maintenance (for a period of 7 years) over 3.067 Ha., for non - forest area identified in the Sy.No.552 &558 of Nereducharla Revenue Village, Peapully Mandal, Kurnool District, Andhra Pradesh from the amount which has already been realized from the user agency;

iii. Non - forest land which needs to be transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section -4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the State Forest Act. The Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to the Ministry of Environment , Forests &Climate Change, Regional Office, Chennai for information and record;

iv. Safety zone shall be maintained as green belt and to ensure dense canopy cover in the area, regeneration activity shall be undertaken by the State Forest Department form the amount which has already been realized from the user agency;

v. State Forest Department shall carry out afforestation and its maintenance on degraded forest land, to be selected elsewhere, measuring one and half times the area of forest land under safety zone, from the amount which is already been realized from the user agency. The DGPS co-ordinates of the area shall be submitted within 6 months from the date of issue of the order;

vi. The State Government shall maintain area upto 7.5 meters as safety zone area all along the boundary outside the lease area as per the guidelines issued under Forest (Conservation) Act, 1980 from the amount which has already been realized from the user agency;

vii. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency.

viii. The mining shall be done in the forest area in accordance with the approved mining plan from the competent authority and mining area shall not be opened up hapazardly;

ix. Diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Amendment Act, 2015, or Rules framed there under;

x. Approved CA Scheme shall not be changed without the prior approval of the Central Government; except for an account of revision of standard unit rates, if any;

xi. The consent of Andhra Pradesh State Pollution Control Board shall be obtained under the Air and Water Act before commencement of mining operations and it shall be renewed periodically;

xii. Quarrying shall be carried out by providing benches;

xiii. Only one approach road i.e road No.3 of 6 mtr width and 64 mtr length as mentioned in the proposal shall be used;

xiv. User agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. If it is found that the activities indicated in the reclamation plan are not being executed by the user agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

xv. The user agency shall ensure stabilization of the overburden dumps by appropriate grading / benching so as to ensure that that angles of repose at any given place is less than 28° ;

xvi. No permanent building or labour camps shall be established on the forest land. User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

xvii. The forest land proposed for diversion shall under no circumstances be transferred / sublet to any other agency, department or person without the prior approval of the Central Government.

xviii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

xix. User Agency shall obtain Environment Clearance as per the provisions of the Environment (Protection) Act, 1986;

xx. User Agency shall ensure that no disturbance is caused to the nearby forest flora & fauna

xxi. The total forest area utilized for the project shall not exceed 2.992 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

xxii. Any other conditions that the Central Government or Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

xxiii. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s. Bargav Road Metal Unit, Mg partner Sri. Ch. Nagabhusana Reddy
Near R&B Guest House, Pendekanti Nagar,
Banaganapalli, Kurnool District-

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER